

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GRAHAM B.C. ROMAN,

Plaintiff,

v.

COUNTY OF CHESTER, et al.,

Defendants.

CIVIL ACTION

NO. 23-1662-KSM

ORDER

AND NOW this 20th day of November, 2024, upon consideration of the County Defendants' Motion to Dismiss Plaintiff's Amended Complaint and Supplemental Complaint Pursuant to Fed.R.Civ.P. 12(b)(6) (Doc. No. 101), Defendant Aramark Correctional Services, LLC's Motion to Dismiss Plaintiff's Amended Complaint and Supplemental Complaint Pursuant to Fed.R.Civ.P. 12(b)(6) (Doc. No. 103), Plaintiff's opposition brief (Doc. No. 106), the County Defendants' reply brief (Doc. No. 107), Aramark's reply brief (Doc. No. 108), and Plaintiff's surreply brief (Doc. No. 110), it is **ORDERED** that:

1. The County Defendants' motion (Doc. No. 101) is **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. The motion is **DENIED** as to Roman's Fourteenth Amendment claims against the County for delayed dental care, the denial of mental health care, and his request for punitive damages.
 - b. The motion is **GRANTED** as to Roman's remaining claims against the County and all of his claims against the individual County Defendants. These claims are

dismissed without prejudice to Roman's right to file a second amended complaint as discussed below.

2. Aramark's motion (Doc. No. 103) is **GRANTED**, and Roman's claims against it are **dismissed without prejudice** to Roman's right to file a second amended complaint as discussed below.

3. Roman may file a second amended complaint to address the issues discussed in the Court's contemporaneously filed Memorandum to the extent he can do so in good faith. Any second amended complaint shall be filed by **December 11, 2024**.

4. The Clerk's Office is **DIRECTED** to mail a copy of this Order and the accompanying Memorandum to Roman.

IT IS SO ORDERED.

/s/Karen Spencer Marston

KAREN SPENCER MARSTON, J.